

JUL 15 2005

JC10 Rec'd PCT/PTO 15 JUL 2005

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|   |   |   |
|---|---|---|
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b> |   | ATTORNEY'S DOCKET NUMBER<br>21900-00052-US1                   |
| INTERNATIONAL APPLICATION NO.<br>PCT/JP03/08143   | INTERNATIONAL FILING DATE<br>26 June 2003 | U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br>10/518,643 |
| TITLE OF INVENTION  |   | PRIORITY DATE CLAIMED<br>26 June 2002                         |
| APPLICANT(S) FOR DO/EO/US<br>Hironari Akashi et al.   |   |   |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The US has been elected (Article 31).
- ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - ☐ is attached hereto (required only if not communicated by the International Bureau).
  - ☐ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - ☐ is attached hereto.
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

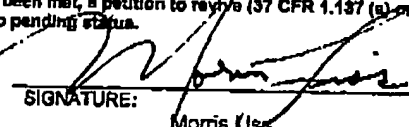
Items 11 to 20 below concern document(s) or information included:

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ A preliminary amendment.
- ☒ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☐ Other items or information:

PTO-1390 (Rev. 02-2005)

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|  |              |   |                     |  |    |
|--|--------------|---|---------------------|--|----|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><b>10/518,643</b>   |              | INTERNATIONAL APPLICATION NO.<br><b>PCT/JP03/08143</b>                        |                     | ATTORNEY'S DOCKET NUMBER<br><b>21900-00052-US1</b> |    |
| The following fees have been submitted   |              |   |                     | <b>CALCULATIONS</b>                                |    |
| 21. <input type="checkbox"/> Basic national fee .....\$300   |              |   |                     | PTO USE ONLY                                       |    |
| 22. <input type="checkbox"/> Examination fee<br>If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....\$100<br>All other situations .....\$200   |              |   |                     |  |    |
| 23. <input type="checkbox"/> Search fee<br>Search fee (37 CFR 1.445(e)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....\$100<br>International Search Report prepared and provided to the Office .....\$400<br>All other situations .....\$500 |              |   |                     |  |    |
| <b>TOTAL OF 21, 22 and 23 =</b>  |              |   |                     | \$ 0.00  |    |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.                                 |              |   |                     |  |    |
| Total Sheets   | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE                |  |    |
| - 100 =  | /50 =        |   | x \$250.00          |  |    |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).  |              |   |                     | \$ 130.00  |    |
| <b>CLAIMS</b>  |              | <b>NUMBER FILED</b>   | <b>NUMBER EXTRA</b> | <b>RATE</b>  |    |
| Total claims   |              | - 20 =  | x                   | \$   |    |
| Independent claims   |              | - 3 =   | x                   | \$   |    |
| MULTIPLE DEPENDENT CLAIM(s) (if applicable)  |              |   | +                   | \$   |    |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |   |                     | \$ 130.00  |    |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.   |              |   |                     | \$   |    |
| <b>SUBTOTAL =</b>  |              |   |                     | \$ 130.00  |    |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).   |              |   |                     | +  |    |
| <b>TOTAL NATIONAL FEE =</b>  |              |   |                     | \$ 130.00  |    |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |              |   |                     | +  |    |
| <b>TOTAL FEES ENCLOSED =</b>   |              |   |                     | \$ 130.00  |    |
|  |              |   |                     | Amount to be refunded:                             | \$ |
|  |              |   |                     | Amount to be charged:                              | \$ |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.   |              |   |                     |  |    |
| b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ 130.00 to cover the above fees. A duplicate copy of this sheet is enclosed.  |              |   |                     |  |    |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 22-0185. A duplicate copy of this sheet is enclosed.  |              |   |                     |  |    |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  |              |   |                     |  |    |
| NOTE: Where an appropriate time limit under 37 CFR 1.493 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the international application to pending status.  |              |   |                     |  |    |
| SEND ALL CORRESPONDENCE TO:<br>00000105 220185 10518643  |              |   |                     |  |    |
| SIGNATURE:   |              |   |                     |  |    |
| NAME: Morris Kise  |              |   |                     |  |    |
| CUSTOMER NUMBER: 30678   |              |   |                     |  |    |
| REGISTRATION NUMBER: 24,610  |              |   |                     |  |    |

FORM PTO-1390 (REV 02-2005)

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Approved for use through 7/31/2008. OMB 0651-0002  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
PTO/SB/17 (12-04v2)

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4819).

## FEE TRANSMITTAL

### For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

|                                |  |      |  |        |  |
|--------------------------------|--|------|--|--------|--|
| <b>TOTAL AMOUNT OF PAYMENT</b> |  | (\$) |  | 130.00 |  |
|--------------------------------|--|------|--|--------|--|

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 22-0185 Deposit Account Name: Connolly Bove Lodge & Hutz LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES**

| Fee Description                                    | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues)            |          |                       |
| Each independent claim over 3 (including Reissues) | 50       | 25                    |
| Multiple dependent claims                          | 200      | 100                   |
|  | 360      | 180                   |

**Total Claims** 38 **Extra Claims** 0 **Fee (\$)** 0 **Fee Paid (\$)** 0

**Indep. Claims** 5 **Extra Claims** 0 **Fee (\$)** 0 **Fee Paid (\$)** 0

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets** 100 **Extra Sheets** 0 **Number of each additional 50 or fraction thereof** 0 **Fee (\$)** 0 **Fee Paid (\$)** 0

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount) **Fee Paid (\$)** 0

Other (e.g., late filing surcharge), 1617 National Stage oath or declaration after thirty ... **Fee Paid (\$)** 130.00

**SUBMITTED BY**

|                                      |                                |                                 |
|--------------------------------------|--------------------------------|---------------------------------|
| Signature <u>[Signature]</u>         | Registration No. <u>24,510</u> | Telephone <u>(202) 331-7111</u> |
| Name (Print/Type) <u>Morris Liss</u> | Date <u>July 15, 2005</u>      |                                 |

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Application No. (if known): 10/518,643  
Attorney Docket No.: 21800-00052-US1

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on July 15, 2005  
Date



Signature

Lisa Hawkins

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Fee Transmittal (1 page)

Application Data Sheet (5 pages)

Declaration Power of Attorney (2 pages)

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## FAX TRANSMISSION

DATE: July 15, 2005

PTO IDENTIFIER: Application Number 10/518,643  
Patent Number

Inventor: Hironari Akashi et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: CONNOLLY BOVE LODGE & HUTZ LLP  
Morris Liss

PHONE: (202) 331-7111

Attorney Dkt. #: 21900-00052-US1

PAGES (Including Cover Sheet): 12

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